IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION No. 5549 of 2005

Between:

Dr. C.K. Mohan Rao S/o. Late Paradesi, Associate Professor
Sri Venkateswara University College of Arts & Sciences,

Tirupati, Chittoor District.

..... PETITIONER

AND

1 The Registrar, Sri Venkateswara University, Tirupathi,
Chittoor District.
2 The Secretary, Government of Andhra Pradesh,

Higher Education Department,
Secretariat, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of a writ of Mandamus the declaring the inaction of the 1st Respondent in not extending the benefits under the G.O.Ms.No. 208 dt. 29-6-1999, and G.O.Ms.No. 5, dt. 14-2-2003 and G.O.Ms.No. 21 dt. 18-3-2003 to the petitioner for the post of Professor, Department of History in the 1st Respondent's University as illegal, arbitrary and also violation of Articles 14, 16 and 21 of Constitution of India consequently direct the respondent's to consider the candidature of the petitioner's under the light of G.O.Ms.No. 208 dt. 29-6-1999 and G.O.Ms.No. 5 dt. 14-2-2003, G.O.Ms.no.21 dt. 18-3-2003 for the post of Professor, Department of History in the 1st Respondent University in ensuing interview scheduled on 23-3-2005 onwards and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR KUNCHEAM MAHESWARA RAO

Counsel for the Respondent No.1: MR.M.SREERAMULU REDDY

Counsel for the Respondent No.2: GP FOR HIGHER EDUCATION

The Court at the admission stage made the following:

ORDER:

Declaring the inaction of the 1st respondent in not extending the benefits under the G.O.Ms.No.208, dated 29.06.1999, and G.O.Ms.No.5, dated 14.02.2003 and G.O.Ms.No.21, dated 18.03.2003 to the petitioner, as illegal and arbitrary, the present writ petition is filed.

Heard the learned Counsel for the petitioner and the learned Government Pleader for Higher Education.

Admittedly the representation of the petitioner dated 11.03.2005 is pending consideration and the respondents have to take appropriate decision thereon.

Therefore, without entering into the merits of the case, it would be appropriate to dispose of the writ petition, with a direction to the respondents to consider the case of the petitioner and pass necessary orders on the representation of the petitioner dated 11.03.2005, in accordance with rules and regulations, and Government Orders in force, within a period of 6 (six) weeks from the date of receipt of a copy of this order.

The Writ Petition is, accordingly, disposed of. No order as to costs.

Dated: 18.03.2005

Dsr

Note:

Issue CC in two days

B/o

Dsr

ASSISTANT REGISTRAR

To:

1. The Registrar,

Sri Venkateswara University,

Tirupati, Chittoor District

2. The Secretary,

Government of Andhra Pradesh,

Higher Education Department,

Secretariat, Hyderabad

3. Two CCs to the Government Pleader

for Higher Education, High Court Buildings,

Hyderabad (OUT)

4. Two CD copies

*Form-NIC-OGS/WP{**VSMI**}*